



38 USC 103

1

PATENT

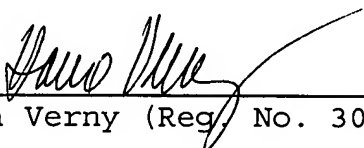
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
SHUICHI MIZUNO, ET AL.)
Serial No.: 10/626,459) Group Art Unit: N/A
Filed: JULY 22, 2003) Examiner: N/A
For: METHOD FOR GROWTH AND *DE NOVO*)
FORMATION OF A SUPERFICIAL CARTILAGE)
LAYER *IN SITU* AND FOR REPAIR OF)
DAMAGED CARTILAGE USING NEO-CARTILAGE)
CONSTRUCTS)
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 23, 2003.


Hana Verny (Reg. No. 30,518)

Petition Under 37 CFR 1.17(h)

This Petition is being filed in response to the Notice to File Corrected Application Papers dated December 8, 2003.

Applicants respectfully submit that due to an unintentional error, Figures 13A and 13B were submitted as Figures 13 and 14. Figures 14A - 14E were submitted as Figures 15A - 15E.

Since the Figures were correctly described in the specification as Figures 13A and B and 14A - 14E, but informal figures were erroneously marked as Figure 13, 14 and 15A-15E, the

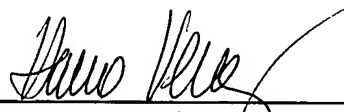
submission of replacement figures does not constitute new matter and should be accepted by the Patent Office as a correction of unintentional misnumbering of the figures.

It is respectfully requested that the newly submitted Figures 13A, 13B and 14A-14E be accepted as replacements for prior Figures 13, 14 and 15A-15E.

The filing date was accorded to this application and this filing date should be upheld.

Respectfully submitted,

Date: December 23, 2003



Hana Verny (Reg. No. 30,518)
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, L.L.P.
385 Sherman Avenue, Suite 6
Palo Alto, CA 94306
TEL 650 324 1677 / FAX 650 324 1678
Atty. Dkt.: 3831.03 (HV)